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17 Attorneys for Plaintiffs
 CORY SPENCER, DIANA MILENA
 18 REED, and COASTAL PROTECTION
 RANGERS, INC.
 19

20 **UNITED STATES DISTRICT COURT**
 21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
 22

23 CORY SPENCER, an individual;
 24 DIANA MILENA REED, an
 individual; and COASTAL
 25 PROTECTION RANGERS, INC., a
 26 California non-profit public benefit
 corporation,
 27

28 Plaintiffs.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF JAMES CONN IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR CLASS CERTIFICATION**

Judge: Hon. S. James Otero
 Date: February 21, 2017
 Time: 10:00 a.m.
 Crtrm.: 10C

1
2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N. F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,

17 Defendants.

18
19 I, JAMES CONN, declare as follows:

20 1. For the past 30 years I have resided in various cities in the North
21 County area of San Diego, California. I currently reside in Oceanside,
22 California. I work as a radiology technician for First Choice Mobile
23 Radiology, and I also shape surfboards on the side. I have personal
24 knowledge of the matters stated in this declaration and, if called as a
25 witness, could and would testify competently to its contents.

26 2. I grew up in Huntington Beach, California where I attended
27 Edison High School. I took the GED and then attended Orange Coast
28 College.

29 3. When I'm not working, I enjoy visiting various beaches and
30 ocean-oriented park destinations. I am a big wave surfer and have spent my
31 entire life big-wave surfing in California and around the world. I surfed
32 several times per week until five years ago when I got into a bad car

1 accident. I still surf a few times per month. I am actively involved in the surf
2 community.

3 4. One place that can be especially good for big-wave surfing is a
4 beautiful and undeveloped beach in Palos Verdes Estates called Lunada
5 Bay. It is known for having especially large and well-formed waves during
6 Northwest winter swells. When I lived in Huntington Beach and the waves
7 were big, I surfed at Lunada Bay regularly from 1969 until the mid-1980s.

8 5. During my lifetime, exclusion at Lunada Bay has always been a
9 problem. I understood that many other surfers avoided Lunada Bay
10 because of the reputation of threats, harassment, and violence against non-
11 resident beachgoers carried out by the local surfers (nicknamed the "Bay
12 Boys"). I felt comfortable surfing there because I did not mind standing up to
13 Bay Boys and did not let them push me around.

14 6. During those years when I surfed at Lunada Bay, the Bay Boys
15 were usually there, drinking beer and sitting on top of the bluffs. They made
16 derogatory statements toward non-resident beachgoers because they
17 wanted to keep them away. They mostly said things such as, "Get out of
18 here, you don't belong." I recall that the Bay Boys flattened my friend's car
19 tires during one of our visits to Lunada Bay.

20 7. On one visit to Lunada Bay in the early-to-mid 1980s, after
21 surfing, I walked up one of the extremely steep and dangerous cliff trails,
22 carrying my surfboard. One of the Bay Boys standing on the cliff above
23 threw a large rock at my face and it split open my lip. I had to get many
24 stitches to repair my lip – and I still have a scar to this day. Aside from the
25 physical injury to my face, I was angry and scared because I could have
26 very easily lost my balance and fallen off of the trail and down the cliff, which
27 would have caused much more serious injury.

28 8. I drove to the nearest pay phone which was about a mile away

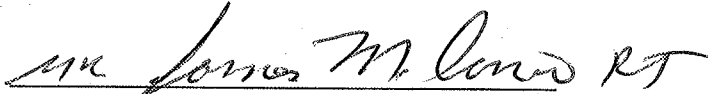
1 and reported the incident to the Palos Verdes Estates police but they never
2 came out to help me. They seemed completely uninterested in investigating
3 the incident. Unfortunately, the Palos Verdes Estates police's disinterest in
4 helping me as an outsider did not surprise me because they had a
5 reputation for being "in on it" and not helping non-resident beachgoers who
6 were harassed by the Bay Boys. Despite the well-known bullying, I never
7 saw Palos Verdes Estates police officers at or near the beach when I surfed
8 at Lunada Bay. Without the police monitoring or responding to complaints,
9 the Bay Boys' bad behavior seemed to go completely unchecked.

10 9. It is astounding to me that the Bay Boys' bad behavior continues
11 on today. After decades of harassment and exclusion, it is time for Lunada
12 Bay to be returned to the public.

13 10. As a big-wave surfer, I would like to be able to visit Lunada Bay
14 to surf without fear of physical and verbal attack or the hassle of dealing with
15 the Bay Boy bullies. I want the Bay Boys and other locals to be barred from
16 using this beach for sufficient time to change attitudes, and to give access to
17 the beach back to the public. I want the City of Palos Verdes Estates to
18 enforce its ordinances fairly and for it to provide signage so people will know
19 Lunada Bay is a public beach. I want the City of Palos Verdes Estates to
20 improve amenities in a fashion that makes it safer, provides improved
21 access to all beachgoers, and is both consistent with this rural spot, the
22 California Coastal Act and state and federal law. For example, access trails
23 to the shoreline should be clearly marked to make access safer. I want
24 Palos Verdes Estates police to be available to help when people are
25 unlawfully excluded. In short, I want to be able to visit Lunada Bay without
26 being harassed. And if I am harassed, I want the City of Palos Verdes
27 Estates police to take my complaints seriously.

1 I declare under penalty of perjury under the laws of the United States
2 of America that the foregoing is true and correct.

3 Executed in OCEANSIDE, California on December 16TH,
4 2016.

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6  RT

7 JAMES CONN
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